

1 Robert D. Phillips, Jr. (SBN 82639)  
 2 rphillips@reedsmit.com  
 3 Miles M. Cooley (SBN 206783)  
 4 mcooley@reedsmit.com  
 5 Kathy J. Huang (SBN 240677)  
 6 khuang@reedsmit.com  
 REED SMITH LLP  
 355 South Grand Avenue, Suite 2900  
 Los Angeles, CA 90071-1514  
 Telephone: 213.457.8000  
 Facsimile: 213.457.8080

7 Attorneys for Plaintiff  
 8 North American Company For Life and  
 Health Insurance

9  
 10 UNITED STATES DISTRICT COURT  
 11  
 12 SOUTHERN DISTRICT OF CALIFORNIA

13 NORTH AMERICAN COMPANY FOR  
 14 LIFE AND HEALTH INSURANCE,

15 Plaintiff,

16 vs.

17 MICHAEL L. PHILPOT, an individual,  
 18 VIRGINIA B. HIRSH, an individual,  
 JOHN B. KUYKENDALL, an individual,  
 RENE ALEJANDRO LACAPE, an  
 individual , C. RICHIE MCNAMEE, an  
 individual and HECTOR PAEZ VALDEZ,  
 an individual,

19 Defendants.

20  
 21 No.: 08 CV 0270 BEN NLS

22  
 23 **JOINT MOTION FOR EXTENTION  
 24 OF TIME TO FILE RESPONSIVE  
 25 PLEADING**

26 The Honorable Roger T. Benitez

27 Complaint Filed: February 13, 2008  
 Trial Date: None Set

28  
 29 This Joint Motion is entered by and between Plaintiff North American  
 30 Company for Life and Health Insurance ("Plaintiff") and Defendant C. Richie  
 31 McNamee ("McNamee"), through their respective counsel, to provide for an extension  
 32 of time for McNamee to file his responsive pleading, on the basis of the following:

33 A. Defendant Michael L. Philpot ("Philpot") has filed a motion to dismiss in  
 34 this action, which motion is currently under submission; and

1           B. To allow McNamee time to coordinate with his counsel, Plaintiff and  
2 McNamee have agreed to allow McNamee's responsive pleading to follow the Court's  
3 ruling on Philpot's motion to dismiss.

4 THEREFORE, the Plaintiff and McNamee stipulate as follows:

5           1. If Philpot's motion to dismiss is denied, then McNamee will file his answer  
6 to the original complaint within ten days after notice of ruling; or  
7           2. If Philpot's motion to dismiss is granted with leave to amend, then  
8 McNamee will respond to the amended complaint within the same time allowed for  
9 Philpot to respond.

10 Dated: August 1, 2008

REED SMITH LLP

11  
12 By: /S/  
13 Miles M. Cooley  
14 Counsel for Plaintiff  
North American Company For  
Life and Health Insurance

15  
16 Dated: August 1, 2008

KING PARRET & DROSTE LLP

17  
18 By: /S/  
19 Alan J. Droste (SBN 105616)  
20 Counsel for Defendant  
C. Richie McNamee  
Tel: (949) 644-3400  
Fax: (949) 644-3993  
E-mail: adroste@kpdlex.com

21  
22  
23  
24 DOCSLA-15650376.1